

8646

AN ORDINANCE CHANGING THE ZONING
OF A PORTION OF TRACTS 1B AND 59A1, AND
STATE HIGHWAY DEPARTMENT DRAINAGE RIGHT-OF-WAY,
NELLIE D. MUNDY SURVEY #241,
THE PENALTY BEING AS PROVIDED IN
SECTION 25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of a portion of Tracts 1B and 59A1, and State Highway Department drainage right-of-way, Nellie D. Mundy Survey #241 as more particularly described by metes and bounds in the attached Exhibits "A" and "B," be changed from R-3 (Residential) to C-4 (Commercial) (Parcel 1 - 55.61 acres) and M-1 (Manufacturing) (Parcel 2 - 22.08 acres) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 1st day of April, 1986.

Jonathan W. Rogers
Mayor

ATTEST:

Carole Hunter
City Clerk

APPROVED AS TO FORM:

John Paul
Assistant City Attorney

APPROVED AS TO CONTENT:

Ray Chisard
Planning Department

I certify that the zoning map has been revised to
reflect the amendment of ordinance #8646

R. Gonzalez Date 4-30-86

I CERTIFY THAT THE FOLLOWING ZONING MAPS
HAVE BEEN REVISED: 2.D.

4-30-86 COUNTER
4-30-86 ORIGINAL
4-30-86 Adm. Inspection
4-30-86 CONTROL R. Gonzalez

8646

Contract dated 4/1/86

86-5144

RECEIVED
APR 23 1986
PLANNING DEPARTMENT

ZONING DESCRIPTION
55.61 ACRES

Being a portion of Tracts 1B, 59A1, and State Highway Department Drainage Right-of-Way, Nellie D. Mundy Survey No. 241, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING for reference at the northwest corner of said Tract 1B;

THENCE, along the north line of said Tract 1B, South 89°59'36" East, a distance of 554.00 feet to POINT OF BEGINNING for the herein described tract;

THENCE, continuing along said line, South 89°59'36" East, a distance of 800.26 feet to a point in the westerly right-of-way line of Interstate Highway No. 10;

THENCE, along said right-of-way line the following seven courses:

South 00°02'04" West, a distance of 612.19 feet to a point;

South 01°44'14" West, a distance of 501.42 feet to a point;

South 00°21'15" West, a distance of 1,440.89 feet to a point;

South 16°45'02" West, a distance of 135.46 feet to a point;

South 11°38'53" East, a distance of 119.99 feet to a point;

South 43°39'15" East, a distance of 140.48 feet to a point;

South 13°20'23" East, a distance of 536.95 feet to a point in the northerly right-of-way line of Artcraft Road;

THENCE, along said northerly right-of-way line, South 78°12'30" West, a distance of 453.84 feet to a point;

THENCE, leaving said right-of-way line, North 11°48'25" West, a distance of 529.17 feet to a point;

THENCE, North 52°41'27" East, a distance of 16.04 feet to a point;

THENCE, North 11°48'29" West, a distance of 734.88 feet to a point;

THENCE, South 62°35'45" East, a distance of 38.72 feet to a point;

THENCE, North 11°48'29" West, a distance of 169.48 feet to the beginning of a curve to the right;

THENCE, along the arc of said curve (Delta Angle = 39°12'44", Radius = 180.00 feet, Chord = North 07°47'53" East, 120.80 feet) a distance of 123.19 feet to a point;

THENCE, North 27°24'15" East, a distance of 39.89 feet to a point;

THENCE, North 62°35'45" West, a distance of 301.94 feet to a point at the beginning of a curve to the right;

THENCE, along the arc of said curve (Delta Angle = 55°40'22", Radius = 284.23 feet, Chord = North 34°45'34" West, 265.44 feet) a distance of 276.17 feet to a point;

THENCE, North 06°55'23" West, a distance of 1,111.67 feet to the beginning of a curve to the right;

THENCE, along the arc of said curve (Delta Angle = 96°55'47", Radius = 198.67 feet, Chord = North 41°32'30" East, 297.43 feet) a distance of 336.10 feet to a point;

THENCE, South 89°59'36" East, a distance of 30.00 feet to a point;

THENCE, North 00°00'24" East, a distance of 285.00 feet to the POINT OF BEGINNING and containing 55.61 acres of land.

Prepared By:
FAUGHT & ASSOCIATES INC.
El Paso, Texas
January 6, 1986
Job No. 5501-01

Exhibit "A"

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APR 23 1986

PLANNING DEPARTMENT

Parcel 1
to C-4

86-5144

ZONING DESCRIPTION
22.08 ACRES

Being a portion of Tracts 1B and 59A-1, Nellie D. Mundy Survey No. 241, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the northwesterly corner of said Tract 1B;

THENCE, along the northerly line of said Tract 1B, South 89°59'36" East, a distance of 554.00 feet to a point;

THENCE, leaving said line, South 00°00'24" West, a distance of 285.00 feet to a point;

THENCE, North 89°59'36" West, a distance of 30.00 feet to the beginning of a curve to the left;

THENCE, along the arc of said curve (Delta Angle = 96°55'47", Radius = 198.67 feet, Chord = South 41°32'30" West, 297.43 feet) a distance of 336.10 feet to a point;

THENCE, South 06°55'23" East, a distance of 1,111.67 feet to the beginning of a curve to the left;

THENCE, along the arc of said curve (Delta Angle = 55°40'22", Radius = 284.23 feet, Chord = South 34°45'34" East, 265.44 feet) a distance of 276.17 feet to a point;

THENCE, South 62°35'45" East, a distance of 301.94 feet to a point;

THENCE, South 27°24'15" West, a distance of 39.89 feet to the beginning of a curve to the left;

THENCE, along the arc of said curve (Delta Angle = 39°12'44", Radius = 180.00 feet, Chord = South 07°47'53" West, 120.80 feet) a distance of 123.19 feet to a point;

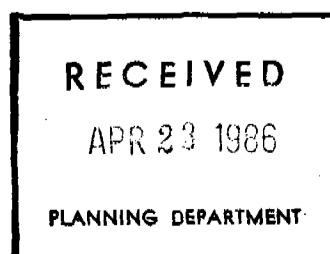
THENCE, South 11°48'29" East, a distance of 169.48 feet to a point;

THENCE, North 62°35'45" West, a distance of 990.36 feet to the southwest corner of said Tract 1B;

THENCE, along the west line of said Tract 1B, North 00°01'32" West, a distance of 1,833.45 feet to the POINT OF BEGINNING and containing 22.08 acres of land.

Prepared By:
FAUGHT & ASSOCIATES INC.
El Paso, Texas
January 6, 1986
Job No. 5501-01

EXHIBIT "B"



THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT, made this 1st day of April,
1986, by and between ARTCRAFT INVESTMENTS, First Party, and the CITY
OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning a
portion of Tracts 1B and 59A1, and State Highway Department drainage
right-of-way, Nellie D. Mundy Survey #241, City and County of El Paso,
Texas, which are more particularly described by metes and bounds
in the attached Exhibits "A" and "B" which are made a part hereof by
reference.

To remove certain objections to such rezoning, First Party
covenants that if the property is rezoned from R-3 (Residential) to
C-4 (Commercial) (Parcel 1 - 55.61 acres), and M-1
(Manufacturing) (Parcel 2 - 22.08 acres) Districts within the meaning
of the zoning ordinance of the City of El Paso, it shall be subject to
the following restrictions, conditions and covenants:

1. First Party shall pay his pro-rata share of the
improvements to Artcraft Road for the portion abutting
his property, upon demand by the City.
2. Prior to the issuance of any building permits, a
detailed site development plan for the M-1 portion of
the subject property must be approved by the City Plan
Commission and the City Council.
3. Prior to the issuance of any building permits, First
Party must dedicate a drainage easement, to be approved
by the City Engineer and shown on an approved
subdivision plat.

This agreement is a restriction, condition and covenant
running with the land and a charge and servitude thereon, and
shall bind First Party and its successors in title. Any future
conveyance of the land shall contain this restriction, condition
and covenant and shall embody this agreement by express
reference.

The City may enforce this agreement by injunction or any
other legal or equitable remedy. The City Council of the City of
El Paso may amend or release the above restrictions, conditions
and covenants in its discretion without the consent of any third
person who may be benefited thereby, and without affecting the

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86-5144
PLANNING DEPARTMENT

Qed # 8646

validity, or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.

ARTCRAFT INVESTMENTS

First Party

By

Title

ATTEST:

Secretary

THE CITY OF EL PASO

Second Party

By

Mayor

ATTEST:

City Clerk

APPROVED AS TO CONTENT:

Planning Department

APPROVED AS TO FORM:

Assistant City Attorney

THE STATE OF TEXAS)

COUNTY OF EL PASO)

This instrument was acknowledged before me on this 11th day of APRIL, 1986, by William F. Kastrin, as MANAGING PARTNER FOR ARTCRAFT INVESTMENTS.

Notary Public, State of Texas

My Commission Expires:

JUNE 1, 1988

THE STATE OF TEXAS)

COUNTY OF EL PASO)

DAVID F. ETZOLD, Notary Public
in and for the State of Texas
My Commission Expires June 1, 1988

This instrument was acknowledged before me on this 18th day of APRIL, 1986, by JONATHAN W. ROGERS, as Mayor of the City of El Paso.

Notary Public, State of Texas

My Commission Expires:

10/21/87

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APR 24 1986

PLANNING DEPARTMENT

ZONING DESCRIPTION
55.61 ACRES

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COMMENCING for reference at the northwest corner of said Tract 1B;

THENCE, along the north line of said Tract 1B, South 89°59'36" East, a distance of 554.00 feet to POINT OF BEGINNING for the herein described tract;

THENCE, continuing along said line, South 89°59'36" East, a distance of 800.26 feet to a point in the westerly right-of-way line of Interstate Highway No. 10;

THENCE, along said right-of-way line the following seven courses:

South 00°02'04" West, a distance of 612.19 feet to a point;

South 01°44'14" West, a distance of 501.42 feet to a point;

South 00°21'15" West, a distance of 1,440.89 feet to a point;

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THENCE, leaving said right-of-way line, North 11°48'25" West, a distance of 529.17 feet to a point;

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THENCE, South 62°35'45" East, a distance of 38.72 feet to a point;

THENCE, North 11°48'29" West, a distance of 169.48 feet to the beginning of a curve to the right;

THENCE, along the arc of said curve (Delta Angle = 39°12'44", Radius = 180.00 feet, Chord = North 07°47'53" East, 120.80 feet) a distance of 123.19 feet to a point;

THENCE, North 27°24'15" East, a distance of 39.89 feet to a point;

THENCE, North 62°35'45" West, a distance of 301.94 feet to a point at the beginning of a curve to the right;

THENCE, along the arc of said curve (Delta Angle = 55°40'22", Radius = 284.23 feet, Chord = North 34°45'34" West, 265.44 feet) a distance of 276.17 feet to a point;

THENCE, North 06°55'23" West, a distance of 1,111.67 feet to the beginning of a curve to the right;

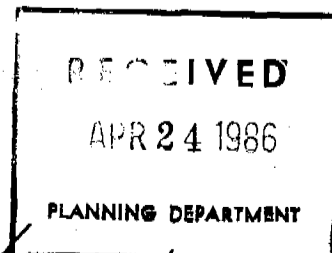
THENCE, along the arc of said curve (Delta Angle = 96°55'47", Radius = 198.67 feet, Chord = North 41°32'30" East, 297.43 feet) a distance of 336.10 feet to a point;

THENCE, South 89°59'36" East, a distance of 30.00 feet to a point;

THENCE, North 00°00'24" East, a distance of 285.00 feet to the POINT OF BEGINNING and containing 55.61 acres of land.

Prepared By:
FAUGHT & ASSOCIATES, INC.
El Paso, Texas
January 6, 1986
Job No. 5501-01

Exhibit "A"



Parcel 1
to C-4

ZONING DESCRIPTION
22.08 ACRES

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BEGINNING at the northwesterly corner of said Tract 1B;

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THENCE, along the west line of said Tract 1B, North 00°01'32" West, a distance of 1,833.45 feet to the POINT OF BEGINNING and containing 22.08 acres of land.

Prepared By:
FAUGHT & ASSOCIATES INC.
El Paso, Texas
January 6, 1986
Job No. 5501-01

EXHIBIT "B"

Parcel 2
Lm-1

